

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GLYNN A. HOLDER,	:	CIVIL ACTION NO. 1:10-CV-2236
Petitioner	:	
	:	
v.	:	(Judge Conner)
	:	
	:	
MICHAEL CURLEY, Warden,	:	
Respondent	:	

ORDER

AND NOW, this 5th day of January, 2011, upon consideration of the Report of United States Magistrate Judge Thomas M. Blewitt (Doc. 11), recommending that the habeas petition (Doc. 1) as a second or successive § 2254 petition be dismissed because the court lacks subject matter jurisdiction, and, following an independent review of the record and noting that plaintiff Glynn A. Holder filed a concurrence in the conclusions of the Report on December 9, 2010 (Doc. 12), and the court finding Judge Blewitt's analysis to be thorough and well-reasoned, it is hereby ORDERED that:

1. The Report of the magistrate judge (Doc. 11) is ADOPTED in its entirety.
2. The petition (Doc. 1) for writ of habeas corpus as a second or successive § 2254 petition is DISMISSED because the Court lacks subject matter jurisdiction.
3. There is no basis for the issuance of a certificate of appealability.
28 U.S.C. § 2253(c).
4. The Clerk of Court is directed to CLOSE this case.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge